

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

In Re TERRORIST ATTACKS on SEPTEMBER 11, 2001)	03 MDL 1570 (RCC) ECF Case
))

This document relates to:

Estate of O'Neill, et al. v. Republic of Iraq, et al., 04-CV-1076 (RCC)

Declaration of Gina MacNeill, Esquire Relating to Taha Al Alwani

GINA M. MAC NEILL, on this 18th day of November, 2005, hereby declares pursuant to 28 United States Code Sec. 1746, and under penalties of perjury, that the foregoing is true and correct:

1. I am an attorney at law, licensed to practice law in the Commonwealth of Pennsylvania, the State of New Jersey, and admitted to practice in the United States District Court for the Southern District of New York.
2. I, along with Jerry S. Goldman, Esquire and others, am attorney of record in the instant matter.
3. On October 14, 2004, a letter was sent to Nancy Luque, Esquire, of Gray Carey, attorney of record for Taha Al Alwani a/k/a Dr. Taha Jabir Al Alwani ("Taha Al Alwani") in the multi-district litigation 03 MDL 1570 (RCC), requesting that defense counsel accept service on behalf of their client.
4. On October 25, 2004, a letter from Jay D. Hanson, Esquire, from Gray Cary, was received by our office in which Mr. Hanson declared that "[w]e are quite certain that the Taha Al Alwani you seek to serve in your case against Iraq is not our client, but rather an Iraqi living and associated with Iraqi governmental affairs,

quite possibly the Mayor of Fallujah, who has his name.” See Exhibit A.

5. On February 2, 2005, I sent out a service package to Mr. Taha Al Alwani, at 1105 Safa Street, Herndon, VA 20170, via Federal Express, tracking #8507 5919 9999, requesting a waiver of service of summons and which included:
 - a. One (1) Notice of Lawsuit and Request for Waiver of Service of Summons (“Notice”);
 - b. Two (2) copies of a Waiver of Service of Summons (“Waiver”);
 - c. Two (2) copies of the Original Complaint;
 - d. Two (2) Copies of the First Amended Complaint;
 - e. Two (2) Copies of the Second Amended Complaint; and
 - f. A Federal Express Return Envelope. See Exhibit B.
6. The package was received on February 7, 2005, according to Federal Express records. See Exhibit C.
7. We did not receive a response from Mr. Taha Al Alwani, or his counsel who was named as attorney of record in the multi-district litigation, 03 MDL 1570(RCC).
8. On July 29, 2005, at 9:25 a.m., personal service was effectuated upon Taha Al Alwani, by Mr. Scott Chapman. A copy of the affidavit of service is hereto attached as Exhibit D.

GINA M. MAC NEILL, ESQUIRE
2 Penn Center Plaza
1500 JFK Blvd, Ste. 1411
Philadelphia, PA 19102
215.569.4500

GRAYCARY

4365 Executive Drive, Suite 1100
San Diego, CA 92121-2133
www.graycary.com
O) 858-638-6769
F) 858-677-1401

October 25, 2004

VIA U.S. MAIL AND FACSIMILE (212-346-4665)

OUR FILE NO. 2103638-6

Jerry S. Goldman, Esq.
Jerry S. Goldman & Associates, P.C.
111 Broadway, 13th Floor
New York, NY 10006

Re: **In re: Terrorist Attacks on September 11, 2001**
MDL No. 1570
O'Neill, et al. v. Republic of Iraq, et al.
04-cv-1076 (RCC)

Dear Mr. Goldman:

This is to follow up my telephone call and email to you today, in response to your letter to my partner Nancy Luque of October 14. We are quite certain that the Taha Al Alwani you seek to serve in your case against Iraq is not our client, but rather an Iraqi living in Iraq and associated with Iraqi governmental affairs, quite possibly the Mayor of Fallujah, who has this name. Please contact me to straighten out this mis-identification issue. My direct telephone is (858) 638-6769.

Very truly yours,

Gray Cary Ware & Freidenrich LLP



Jay D. Hanson
jhanson@graycary.com

Admitted to practice in California

JDH:gw

cc: Nancy Luque
Cris Beal

Gray Cary\SD\1615462.1
2103638-6

AUSTIN LA JOLLA SACRAMENTO SAN DIEGO SAN FRANCISCO SEATTLE SILICON VALLEY WASHINGTON D.C.

EXHIBIT

A

**LAW OFFICES OF
JERRY S. GOLDMAN & ASSOCIATES, P.C.**

A NEW YORK PROFESSIONAL CORPORATION DULY QUALIFIED TO TRANSACT
BUSINESS WITHIN THE COMMONWEALTH OF PENNSYLVANIA

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FORT LAUDERDALE, FL 33312
TEL: 954.981.6533 • FAX: 954.989.8068

Reply To: PHILADELPHIA

February 1, 2005

Via Federal Express

Taha al'Alwani a/k/a Dr. Taha Jaber al'Alwani
1105 Safa Street
Herndon, VA 20170-2326

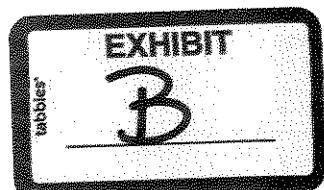
**Re: *In re Terrorist Attacks of September 11, 2001*
03 MDL 1570 (RCC)
Estate of John P. O'Neill, et al. v. Republic of Iraq, et al.
04-CV-1076 (RCC)**

Dear Mr. al'Alwani:

Enclosed please find the following documents relating to the above-referenced case:

1. One (1) Notice of Lawsuit and Request for Waiver of Service of Summons (“Notice”);
2. Two (2) copies of a Waiver of Service of Summons (“Waiver”);
3. Two (2) copies of the Original Complaint;
4. Two (2) Copies of the First Amended Complaint;
5. Two (2) Copies of the Second Amended Complaint; and
6. A Federal Express Return Envelope.

Please be sure to review all enclosed materials carefully, as they relate to a legal matter, as explained in the enclosed Notice and Waiver.



February 1, 2005

Page 2

If you have any questions or comments, please feel free to contact me.

Very truly yours,

LAW OFFICES OF JERRY S. GOLDMAN &
ASSOCIATES, P.C.

By: Gina M. MacNeill
GINA M. MAC NEILL, ESQUIRE

GMM:jf

Enc. a/s

cc: Jerry S. Goldman, Esquire

FedEx® USAirbill

8507 5919 9999

1 From

Please print and address and

Date 2/2/05

Sender's FedEx

Account Number

2524-5005-0

Company **JERRY S. GOLDMAN, ESQ.** Phone (214) 569-4500
Name **JERRY S. GOLDMAN, JERRY S. LAW OFFICES**

Address 1500 JFK BLVD STE 1411

Dept/Floor/Suite/Room

1411

City **PHILADELPHIA**State **PA**ZIP **19102-1747**

Dept/Floor/Suite/Room

2 Your Internal Billing Reference

From FedEx packages not shown on invoice

O'NEILL

Dept/Floor/Suite/Room

3 To

Recipient's

Name

Taha al'Alwani a/k/a

Phone ()

Dept/Floor/Suite/Room

Company **DR. Taha Jaber Al'Alwani**

Recipient's

Address **1105 Safa Street**

Dept/Floor/Suite/Room

We prefer to have P.O. Boxes or FedEx ZIP codes.

4a Express Package Service

FedEx®

Priority

Overnight

FedEx

Standard

Overnight

FedEx

First

Overnight

FedEx

First

Overnight

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Service

FedEx

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Ship

Track

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Tracking number	850759199999	Reference	O'NEILL
Signed for by	Signature release on file	Delivered to	Residence
Ship date	Feb 2, 2005	Service type	Standard Pak
Delivery date	Feb 7, 2005 9:18 AM	Weight	5.0 lbs.

Status	Delivered
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You can also track:

- By TCN
- FedEx Trade Networks shipments
- By Email Track
- By FedEx Wireless Solutions

Date/Time	Activity	Location	Details	Wrong Address? Reduce future mistakes by using FedEx Address Checker.
Feb 7, 2005	9:18 AM Delivered		Left at front door. No signature required - release waiver on file	Shipping Freight? FedEx has LTL, air freight, surface air expedited freight, multi piece packages, and ocean freight.
	7:37 AM On FedEx vehicle for delivery	HERNDON, VA		
Feb 4, 2005	5:05 PM At local FedEx facility	HERNDON, VA		
	12:07 PM Delivery exception	HERNDON, VA	Customer not available or business closed	
Feb 3, 2005	7:11 AM On FedEx vehicle for delivery	HERNDON, VA		
	3:38 PM At local FedEx facility	HERNDON, VA		
Feb 2, 2005	10:39 AM Delivery exception	HERNDON, VA	Customer not available or business closed	
	7:02 AM On FedEx vehicle for delivery	HERNDON, VA		
	6:50 AM At local FedEx facility	HERNDON, VA		
	5:17 AM At dest sort facility	DULLES, VA		
	12:32 AM Arrived at FedEx location	NEWARK, NJ		
	11:50 PM Package data transmitted to FedEx			
	9:15 PM Left origin	PHILADELPHIA, PA		
	6:33 PM Picked up	PHILADELPHIA, PA		

[Signature proof](#)[Track more shipments](#)

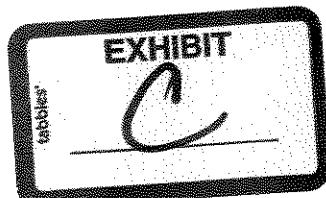
Email your detailed tracking results (optional)

Enter your email, submit up to three email addresses (separated by commas), add your message (optional), and click **Send email**.

From

Add a message to this email.

To

[Send email](#)

Estate of John P. O'Neill et al
Plaintiff(s)

Case Number: 04cv1076(RCC)

vs

The Republic of Iraq et al
Defendant(s)

AFFIDAVIT OF SERVICE

I, Scott Chapman, hereby certify that on July 29, 2005 at 9:26 AM, I executed service of process upon **TAHA AL ALWANI AKA DR. TAHA JABIT AL'ALWANI** at 1105 Safa Street, Herndon, VA 20170 by delivering to and leaving with personally, copies of Summons and Complaint.

Taha Al Alwani aka Dr. Taha Jabit Al'Alwani is described as a Middle Eastern Male, approximately 5' 7" tall, 200-225 pounds, Brown eyes, Grey, balding hair, and 54 years of age. The undersigned further certifies that my place of business is: 331 8th Street, NE, Washington, DC 20002; that I am 24 years of age, Date of Birth 3/11/1981; and that I am not a party to this action.

I declare under the penalty of perjury under the laws of the United States of America that the foregoing information is true and correct. Executed on August 4, 2005.

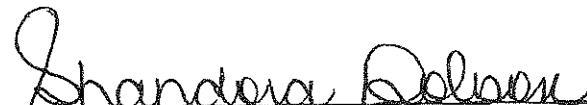
Date August 4, 2005.



Scott Chapman

WASHINGTON, THE DISTRICT OF COLUMBIA
Subscribed and sworn to before me on August 4, 2005.

My Commission Expires:



Shandora Dobson
Notary Public, District of Columbia
My Commission Expires 12-14-2008

Ref.# 63285

